

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION**

**PLAINTIFF: LAFEARE DARNELL WARD**  
949 Archdale Drive  
Charlotte, North Carolina 28217  
**VS.**

Trial by U.S. District Judge

3:13-cv-565-(GCM)

**DEFENDANT: SMITH DEBNAM NARRON etl**  
4601 Six Forks Road Ste 400  
Raleigh, NC 27609

**FILED**  
**CHARLOTTE, NC**

OCT 08 2013

US District Court  
Western District of NC

**And**  
**DEFENDANT: DISCOVER BANK**  
Corporate Headquarters  
502 East Market St.  
Greenwood, Delaware 19950

**Nature of Complaint:**

**Violation of the Fair Debt Collection Practice Act**

**INTRODUCTION OF PLAINTIFF**

Your honor; officers of the court; ladies and gentlemen of the court; good morning and afternoon in advance.

Plaintiff Lafeare Darnell Ward is a native American born in Washington, D.C. now located in Charlotte, North Carolina, of Mecklenburg County, since 1984. The plaintiff is also a creditor (see UCC financing statement #2012-079-9135-5 Apostilled also for the United Kingdom #13011). Plaintiff is in good standard in the public with no criminal or background history (Felony or Misdemeanors). Plaintiff is filing this complaint in honesty and good faith.

## **Brief Summary and Jurisdiction**

SMITH DEBNAM NARRON, since 2005, have made allegations to a supposed debt that has been held in the name LAFEARE DARNELL WARD or LAFEARE D. WARD by DISCOVER BANK, which has hired SMITH DEBNAM NARRON, as a debt collector to go after LAFEARE DARNELL WARD and to be the representative in charge for DISCOVER BANK. SMITH DEBNAM NARRON, in no way possible, since the beginning of 2012 to the present date, have made no attempt or effort to produce any discovery or provisions in validating their executions to LAFEARE DARNELL WARD for the alleged debt. This has made the plaintiff, represented by Lafeare-Darnell: Ward, to set out a background check on the alleged purported claims of a debt in the name of LAFEARE DARNELL WARD by giving SMITH DEBNAM NARRON questions to answer in detail and thoroughly on the investigation of the alleged debt (alleged account # R1018689) and for Lafeare-Darnell: Ward to verify if a debt is even real while representing LAFEARE DARNELL WARD. From the beginning of 2012 to the present date, by certified and registered mailing receipt #s, no possible discovery has led any evidence to an alleged debt is punctual in the name of LAFEARE DARNELL WARD. Questions, pertaining to the Fair Debt Collection Practice Act (15 USC §1692) have been submitted and given to the defendant, SMITH DEBNAM NARRON, which has not registered to SMITH DEBNAM NARRON answering or showing validity as a debt collector to be responsible in made allegations, to the present date, as true. The attached exhibit, pertaining to the questions, will be submitted for this honorable court's entry for the defendant to answer in detail pertaining to the alleged debt. This Honorable court has jurisdiction over this case based on Violation of the Fair Debt Collection Practice Act (*Marx vs. General Revenue Corp.*), Violation of the Fair Credit Reporting Act (*Robert A. Brown and Susan Brown, et al. vs. Stewart Mortensen*), Breach of Contract [*Carlill v. Carbolic Smoke Ball Co.* [1893] Q.B. 256 (C.A.)], Violation of the Freedom of Information Act [*Chrysler Corporation v. Brown*, 441 U.S. 281 (1979); *Watkins v. Customs and Border Protection*], Uniform Deceptive Trade Practice Act (*Isley Brothers v. Michael Bolton*; *George Harrison v. Bright Tunes Music Corp.*; Common Law Copyright Infringement; Uniform Commercial Code §2-312-paragraph 3), Negligence (*Palsgraf v. Long Island Railroad Co.*), Gross Negligence (*Koffman v. Garnett*, 265 Va. 12, 574 S.E. 2d 258; 2003), Negligent Hiring (*Brown v. Youth Services International, Inc. of South Dakota, Inc., d/b/a Chamberlain Academy*, 2000 SD 23), and Defamation of Character (*Hustler Magazine Inc. v. Falwell*, 1988).

# COMPLAINT

The plaintiff, LAFEARE DARNELL WARD, represented by Lafeare-Darnell: Ward, has been alleged to a purported debt that has been found with no validity, insofar as, SMITH DEBNAM NARRON, have amounted to no verification of the alleged debt, non-response tacit consent/acquiescence to the alleged debt, and not providing competence in asking questions pertaining to the alleged debt (R 1018689). To base their position as a debt collector, they have not shown provisions pertaining to the alleged debt is in the name LAFEARE DARNELL WARD or LAFEARE D. WARD, and this has been disturbing, violating the Fair Debt Collection Practice Act, Freedom of Information Act, and Fair Credit Reporting Act, since the brink of years passed leading to the year 2012, when the authorized representative, Lafeare-Darnell: Ward, have submitted numerous times and occasions to bring forth provisions pertaining to the supposed debt. For DISCOVER BANK to hire SMITH DEBNAM NARRON, as a debt collector over the alleged account #R1018689, and SMITH DEBNAM NARRON have been found in scruples to providing evidence with acquiescence/tacit consent for the entire year 2012 and 2013, this shows Negligent Hiring. If the supposed debt alleged on LAFEARE DARNELL WARD was ever found to be valid, was there ever a discharge form called a 1099 'Cancellation of Debt' filed with DISCOVER BANK, which may have the debt collector to buy the alleged debt pennies of the dollar to SMITH DEBNAM NARRON in becoming hired by DISCOVER BANK to take over an alleged account (R1018689)?

Starting January 18, 2012, by certified mail receipt #7011 0470 0000 7026 2025, and to the near end of 2012, of November 30, 2012, by certified mail receipt #7012 1640 0000 1952 0998, there was never provisions for answering the questions, no response to reply in ever to answer the questions or if this could be done to answer the questions, and this sort of position equates to tacit consent, along with fraudulent reporting on behalf of SMITH DEBNAM NARRON. Even in January of 2012, the questions make reference to giving a debt collector 30 days to answer, pertaining to the Fair Debt Collection Practice Act, and from January to April of the dates mentioned is over 30 days to answer but no response was the outcome. SMITH DEBNAM NARRON have made court orders to Writs of Executions, and deducting funds in the name of LAFEARE DARNELL WARD from two bank accounts, but continuously ignore responses submitted to them pertaining to answering questions by the alleged debt, which has been numerous given to them throughout the year 2012. This is negligence on behalf of SMITH DEBNAM NARRON.

Robert Chester, one of the personnel of SMITH DEBNAM NARRON, a representative, has been very much aware of the status of LAFEARE DARNELL WARD's authorized representative, who is Lafeare-Darnell: Ward, since April 9-10, 2012, by Certified Mail Receipt #7011 2000 0001 3409 6169, but continuously have defamed the character of Lafeare-Darnell: Ward. December 11, 2012, Robert Chester committed to answering the questions by telephone, related to the Fair Debt Collection Practice Act, but was not competent or thorough of each or all questions. A witness to this was by Notary Public of North Carolina JERRY LEE ROSS. Robert Chester committed to the acknowledgment of receiving and knowing of Lafeare-Darnell: Ward's Common Law Copyright Notice, recorded in the Mecklenburg County Courthouse, which

pertains to the usage of the Copyrighted/Trademark LAFEARE DARNELL WARD. By Robert Chester verifying the knowledge of the notice, he has not informed the rest of the personnel of SMITH DEBNAM NARRON, but has been a part of non-disclosing and seeking to still defame the character of LAFEARE DARNELL WARD's authorized representative Lafeare-Darnell: Ward, which has led to Common Law Copyright Infringement and a violation of the Uniform Deceptive Trade Practice Act. This is Gross Negligence. SMITH DEBNAM NARRON, because of a lack of knowing as a whole, with Robert Chester's knowledge of the Common Law Copyright Notice, are still trying to utilize Writs of Executions to take from LAFEARE DARNELL WARD, which is the property of Lafeare-Darnell: Ward. Robert Chester was given ample enough of time, from what he stated he will do from the phone conference with the witness Notary Public JERRY LEE ROSS, of the date December 11-12 of 2012, by a sworn affidavit, but no such manner of answering the questions was given, or affidavit submitted within 30 days, via the Fair Debt Collection Practice Act's time frame for a debt collector to comply, leading into the new year 2013 of January. This has entailed tacit consent/Acquiescence and fraud on behalf of SMITH DEBNAM NARRON. Be it that Lafeare-Darnell: Ward has on record a Privacy (Private) Agreement with the property LAFEARE DARNELL WARD (J. David Granberry Mecklenburg County Courthouse Register of deeds, Instrument #2012150293, Book #27762, Page #808-811; by October 24, 2012, and notarized since June 28, 2012), as of levying on funds taken from LAFEARE DARNELL WARD and its two bank accounts, Invasion of Privacy has been committed by SMITH DEBNAM NARRON. SMITH DEBNAM NARRON, by way of Robert Chester, have added to the many times Lafeare-Darnell: Ward has submitted the questions of the alleged debt by Registered Mailing Receipt #713 542 287 US (December 12, 2012). Below will be a list of some of the usages that are on record and known since after April 9-10 of 2012 by Robert Chester's acknowledgment with Notary Public of North Carolina JERRY LEE ROSS that propels the knowledge Robert Chester has of the Common Law Copyright Notice:

1. April 26, 2012 letter submitted to Lafeare-Darnell: Ward for LAFEARE DARNELL WARD \$500,000 plus triple damages.
2. May 9, 2012 Wednesday at 11:41am phone call to LAFEARE DARNELL WARD, copyrighted/trademark property of Lafeare-Darnell: Ward. \$500,000 plus triple damages.
3. June 5, 2012 Tuesday at 1:02pm phone call to LAFEARE DARNELL WARD, copyrighted/trademark property of Lafeare-Darnell: Ward. \$500,000 plus triple damages.
4. June 29, 2012 letter submitted to Lafeare-Darnell: Ward for LAFEARE DARNELL WARD \$500,000 plus triple damages
5. July 16, 2012 Monday at 12:29pm phone call to LAFEARE DARNELL WARD, copyrighted/trademark property of Lafeare-Darnell: Ward \$500,000 plus triple damages.
6. July 19, 2012 Thursday at 9:01am phone call to LAFEARE DARNELL WARD, copyrighted/trademark property of Lafeare-Darnell: Ward \$500,000 plus triple damages.
7. December 5, 2012 letter submitted to Lafeare-Darnell: Ward for LAFEARE DARNELL WARD.



\$500,000 plus triple damages.

8. 2 accounts of garnishing funds out of two bank accounts in the name of LAFEARE DARNELL WARD or LAFEARE D. WARD in the month of October 2012 and SMITH DEBNAM NARRON knew very well of my creditor status from the Financing Statement, apostilled with the Secretary of State's office of North Carolina (#13011) for Lafeare-Darnell: Ward that makes known of exempt from levy. The Common Law Copyright Notice submitted to Robert Chester in April of 2012, who has acknowledged, with Notary Public of North Carolina JERRY LEE ROSS of referencing to the Financing Statement and its details for Lafeare-Darnell: Ward.  
\$500,000 plus triple damages two times.

## **CONCLUSION**

There was a Motion to Claim Exempt Property, which Lafeare-Darnell: Ward brought forth for SMITH DEBNAM NARRON, in Mecklenburg County District court, NC, dated May 29, 2013, and four reminders were given to SMITH DEBNAM NARRON of the Supreme Law of this land, the 5<sup>th</sup> Amendment, U.S. and U.C.C. codes that will be mentioned again here:

Supreme Law of the land-Article 1, Section 10: "No state shall...pass Law impairing the Obligation of Contracts..."

Amendment 5- "No person shall be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation."

Title 42 USC §1983 entitled 'Civil Action for Deprivation of the common law' ("deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress...")

Uniform Commercial Code §2, Section 312 paragraph 3 'warrants goods shall be delivered free of infringement from the seller to the buyer and the seller gives specifications to the buyer before purchase.'

Uniform Commercial Code §1, Section 103 'Uniforms all Law (Common Law, Constitutional Law, Statutory Law of States, etc.) among various jurisdictions.'

The plaintiff will submit to this Honorable Court the questions for SMITH DEBNAM NARRON to answer in this Honorable Court, Lafeare-Darnell: Ward's Financing Statement with apostille (this has been submitted to SMITH DEBNAM NARRON), Privacy Agreement, Power of Attorney and Form 2848.

# Prayer for relief

The plaintiff is suing the defendant, SMITH DEBNAM NARRON, for Violation of the Fair Debt Collection Practice Act (15 U.S.C. §1692-1692p, Violation of the Fair Credit Reporting Act 15 U.S.C. 1681, Breach of Contract, Negligence, Gross Negligence, Defamation of Character, Invasion of Privacy, Violation of the Uniform Deceptive Trade Practice Act, and Common Law Copyright Infringement. The plaintiff also is suing DISCOVER BANK for Negligent Hiring. The plaintiff is respectfully requesting a hearing of this complaint before this Honorable court, in a trial by Judge.

The plaintiff is requesting a hearing before this Honorable court to seek damages from the defendant(s).

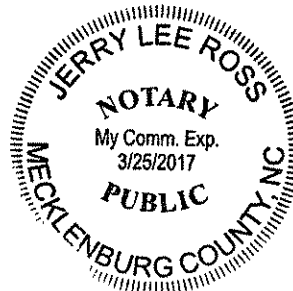
The plaintiff's name of damages include damages under the Fair Debt Collection Practice Act, Fair Credit Reporting Act, Uniform Deceptive Trade Practice Act, Federal Trade Commission Act, Negligence, Gross Negligence, Defamation of Character, Invasion of Privacy, Negligent Hiring, Harassment, Breach of Contract, Common Law Copyright Infringement, abuse of authority, monetary damages (in-law), prospective damages (equity), economic damages, compensatory damages, statutory damages, and severe punitive damages. In addition, anything else not named that this Honorable court feels is just and proper.

UCC 1-308 All Rights Reserved

*Lafeare-Darnell: Ward©*

Lafeare-Darnell: Ward© (Inpropria Persona) Sui Juris  
Authorized Representative for LAFEARE DARNELL WARD  
In Care of 949 Archdale Drive  
Charlotte, North Carolina state [28217-9998]  
704 975 5522

*Jerry Lee Ross*  
NOTARY PUBLIC 10/7/2013



# CERTIFICATE OF SERVICE

I, Lafeare-Darnell: Ward, Inpropria Persona, Sui Juris, authorized representative for LAFEARE DARNELL WARD, do hereby certify that 1 copy of this complaint was mailed to SMITH DEBNAM NARRON (4601 Six Forks Road/Raleigh, NC 27609) by certified mail receipt #7012 1640 0001 7370 3169 and DISCOVER BANK (502 East Market Street/ Greenwich, DE 19950) by certified mail receipt #7012 1640 0000 1952 0776 on October 8, 2013.

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*Lafeare-Darnell: Ward*

Lafeare-Darnell: Ward© (Inpropria Persona) Sui Juris  
Authorized Representative for LAFEARE DARNELL WARD  
In Care of 949 Archdale Drive  
Charlotte, North Carolina state [28217-9998]  
704 975 5522

*Jerry Lee Ross*  
NOTARY PUBLIC 10/7/2013

Carbon Copy  
Mecklenburg County Sheriff's Office  
Mecklenburg County Clerk's Office

